



**MEETING MINUTES
BOARD OF SUPERVISORS, COUNTY OF MONO
STATE OF CALIFORNIA**

Regular Meetings: First, Second, and Third Tuesday of each month. Location of meeting is specified below.
Meeting Location: Board Chambers, 2nd Fl., County Courthouse, 278 Main St., Bridgeport, CA 93517

**Regular Meeting
June 14, 2022**

9:03 AM Call meeting to Order by Co-Chair Duggan

Supervisors Present: Corless, Duggan, Kreitz, and Peters (all attended in person or via teleconference).

Supervisors Absent: Chair Gardner.

Chair Gardner: in attendance for Item #7A via zoom.

The Mono County Board of Supervisors stream most of their meetings live on the internet and archives them afterward. To search for a meeting from June 2, 2015, forward, please go to the following link: <http://www.monocounty.ca.gov/meetings>

Pledge of Allegiance Co-Chair Duggan

1. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

- No one called in

Opportunity for the public to address the Board on items of public interest that are within the subject matter jurisdiction of the Board. (Speakers may be limited in speaking time dependent upon the press of business and number of persons wishing to address the Board.) Please refer to the Teleconference Information section to determine how to make public comment for this meeting via Zoom.

2. RECOGNITIONS - NONE

3. COUNTY ADMINISTRATIVE OFFICER

CAO Report regarding Board Assignments

Receive brief oral report by County Administrative Officer (CAO) regarding work activities.

Robert C. Lawton, CAO

- Thursday - County Milestone BBQ – celebrated County Employee Anniversaries
- Presented the “Teamwork Plaque” – This year’s winner is County Counsel
- Thank you to Public Work staff for the assistance setting up BBQ, IT staff, HR Department, and CAO’s office – Cheyenne Stone and John Craig, ACAO
- Interim Positions
 - Paul Roten and Kevin Julian for Public Works Director
 - Jeff Simpson for Economic Development Director
- Eastern Sierra Recreational Coordinator - Position advertised
- Meeting with Mono County Fire Chiefs – CRIS radio project
- Series of Budget Meeting this week
- Roll Over Budget/Economic Forecast

Supervisor Peters:

- Thanked CAO and Staff for a great BBQ

Megan Malone, Forest Ranger Humboldt Toiyabe National Forest

- New Bridgeport District Ranger – Called in to introduce herself

4. DEPARTMENT/COMMISSION REPORTS

Receive brief oral report on emerging issues and/or activities.

Janet Dutcher, Finance Director:

- Program for Homeowners who are behind in property taxes – up to \$20,000
- July 1, tax delinquency notices go out

5. CONSENT AGENDA

(All matters on the consent agenda are to be approved on one motion unless a board member requests separate action on a specific item.)

Item H – Pulled by Supervisor Kreitz

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

Absent: Chair Gardner

A. Ordinance Adopting Sheriff's Policy Regarding Military Equipment

Departments: Sheriff

Proposed Ordinance Adopting the Mono County Sheriff's Policy Regarding Military Equipment Pursuant to AB 481.

Action: Adopted proposed ordinance.

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

ORD22-004

B. Megabyte Contract Renewal

Departments: Finance

Proposed contract and contract addendum with Megabyte Systems, Inc. pertaining to software maintenance agreement

Action: Approved and authorized board chair signature on proposed contract and addendum with Megabyte Systems, Inc. for software maintenance and web services pertaining to the County property tax system, for an amount not to exceed \$145,000 for the first year (FY 2022-23) and with automatic annual renewals through July 1, 2027, at amounts adjusted by the CPI in subsequent years.

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

M22-112

C. Appointment of Molly Desbaillets to the Mono Basin RPAC

Departments: Community Development

5 minutes

(Bentley Regehr) - Appoint Molly Desbaillets to the Mono Basin Regional Planning Advisory Committee.

Action: Appointed Molly Desbaillets to the Mono Basin Regional Planning Advisory Committee, for a term ending on December 31, 2025, as recommended by Supervisor Gardner.

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

M22-113

D. Monthly Treasury Transaction Report

Departments: Finance

Treasury Transaction Report for the month ending 4/30/2022.

Action: Approved the Treasury Transaction Report for the month ending 4/30/2022.

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

Absent: Chair Gardner

M22-114

E. MOU-Infrastructure Funding Agreement for Workforce Innovation and Opportunity Act

Departments: Social Services

Memorandum of Understanding - Infrastructure Funding Agreement (MOU - IFA) between the Kern, Inyo and Mono Counties Workforce Development Board and the One-Stop Partners under the Workforce Innovation and Opportunity Act.

Action: Approved the proposed Memorandum of Understanding - Infrastructure Funding Agreement (MOU - IFA) between the Kern, Inyo and Mono Counties Workforce Development Board and the One-Stop Partners under the Workforce Innovation and Opportunity Act, for a term commencing on July 1, 2022 and terminating on June 30, 2025. Authorize Social Services Director, Kathy Peterson, to sign.

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

Absent: Chair Gardner

M22-115

F. Establishment of Ad Hoc Subcommittee for Development at 71 Davison Street, Mammoth

Departments: County Counsel

Creation of Ad Hoc Subcommittee regarding development of property at 71 Davison Street in Mammoth Lakes.

Action: Appointed Supervisor Kreitz and Chair Gardner to Ad Hoc Subcommittee, with direction to return to the Board with information and recommendations as needed but no less than quarterly for up to one year.

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

Absent: Chair Gardner

M22-116

G. Board Minutes

Departments: Clerk of the Board

Approval of the Board Minutes from the March 8, 2022 and March 15, 2022 meetings of the Board of Supervisors. Approval of the Board Minutes from March 15, 2022, from the Board Minutes - Special Meeting.

Action: Approved the Board Minutes from the March 8, 2022, Regular Meeting. Approved the Board Minutes from March 15, 2022, Regular Meeting. Approved the Board Minutes from March 15, 2022, Special Meeting.

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

Absent: Chair Gardner

M22-117

H. Resolution Making Findings under AB 361 Related to Remote Meetings

- Item pulled from Consent by Supervisor Kreitz
- Item heard after Consent Agenda

Proposed resolution making the findings required by AB 361 for the purpose of making available the modified Brown Act teleconference rules set forth in AB 361 for the period of June 14, 2022, through July 14, 2022.

Action: Adopted proposed resolution.

Supervisor Kreitz:

- Suggested meeting being held in both locations, Mammoth and Bridgeport
- Would like an update on state of emergency

Supervisor Corless:

- Supports Supervisor Kreitz suggestion

County Counsel Simon:

- Reviewed the bills concerning AB 361 Related to Remote Meetings in detail – does not apply to the Public, only the applies to the Board Members
- There is an item on next week’s agenda – we should defer to next week’s meeting
- Provided update for AB1944 and AB22449 two competing bills

CAO Lawton:

- Don’t see why we cannot do that, just unsure of the Clerk being in two places

Co-Chair Duggan:

- Hybrid meeting discussion

Scheereen Dedman, Clerk – Recorder – Registrar – Clerk of the Board of Supervisors:

- Explains how the Hybrid Meeting will work and the nature of the setup, the necessity of assistance from Information Technology for the Teleconference Location each week

Peters motion. Corless seconded.

Vote: 3 yes, 1 no, 1 absent

Absent: Chair Gardner

Roll Call:

Corless - Y

Duggan - Y

Kreitz - N

Gardner - ABSENT

Peters - Y

R22-057

6. CORRESPONDENCE RECEIVED - NONE

Direction may be given to staff regarding, and/or the Board may discuss, any item of correspondence listed on the agenda.

7. REGULAR AGENDA - MORNING

A. PUBLIC HEARING: Extension of Moratorium on Permitting New Short-term Rentals of Single-Family Residential Units

Departments: Community Development

PUBLIC HEARING: 9:00 AM (20 minutes)

Chair Gardner present for item via zoom

Public Hearing Begin: 9:36 AM

Public Hearing Ended: 9:45 AM

(Bentley Regehr, Planning Analyst) - Public hearing to consider proposed ordinance to extend moratorium on short-term and transient rentals in single-family residences.

Bentley Regehr, Planning Analyst:

- Presented Item

Supervisor Kreitz:

- Concern is how do we study the other types of housing that is lost to short-term rental? **Bentley:** we are not sure what that study looks like at this point
Wendy Sugimura: the moratorium limits what we can study – suggests the Board direct staff to perform detailed study, that is something that we can do and discussed the challenges with performing study
- Discussed funding options with **Wendy Sugimura**
- Is it possible for the Board today to include all housing types in the moratorium?
Stacey Simon – clarifies options
- Support Chair Gardner’s suggestions
- Suggestions for study

Chair Gardner:

- In support of continuing this moratorium the action today
- Suggests that staff work on developing an exemption for overnight rental applicants providing two or more workforce housing unit
- Clarifies for that there is a need in June Lake

Supervisor Corless:

- In support the suggestion of Supervisor Kreitz and Chair Gardner

Supervisor Peters:

- Concerned that there is no problem or issue in the North part of the County or June Lake has a very specific short-term rental ordinance, still confused why

there still needs to be a moratorium without any study or how we are going to pay for it, does not support moratorium

Action: (1) Adopted ORD22-005, an ordinance of the Mono County Board of Supervisors temporarily suspending approval of new short-term and transient rentals of single-family residential units in all land use designations; and (2) Found that the project is exempt from CEQA under CEQA Guidelines sections 15061(b)(3) and 15301 and instruct staff to file a Notice of Exemption.

Staff Direction:

1. Include impacts on multi-family housing units in the study
2. Provide information/study a vacancy tax (who is doing it, is it working)
3. Develop an exemption for overnight rental applicants providing two or more workforce housing units
4. Bring back consideration of a moratorium on multi-family units

Gardner motion. Kreitz seconded.

Vote: 4 yes, 1 no, no - Peters

ORD22-005

Gardner motion. Kreitz seconded.

Vote: 4 yes, 1 no, no - Peters

M22-118

Roll Call:

Corless - Y

Duggan - Y

Gardner - Y

Kreitz - Y

Peters - N

B. Mountain View Fire - Termination of Emergency Declarations

Departments: Mountain View Fire EOC

10 minutes

(Louis Molina, Operations Section Chief) - Declarations of Local Emergency and Local Health Emergency for the Mountain View Fire.

Louis Molina, Operations Section Chief

- Presented item
- Provided update on 4 properties

Action: Continued the local state of emergency declared on November 17, 2020, and/or the local health emergency declared on November 19, 2020 (ratified by the Board on November 24, 2020).

Supervisor Peters:

- Will this effect re-building, waivers, fees?
- Concerned that this will bring on a disadvantage to some homeowners that need to rebuild
- CHP escort of the Mobile Homes – concern because this has not been consistent
- Doesn't not want to inhibit fire victims to rebuild/wavers by ending the Emergency Declarations
- We should delay for a week, get answers to the CHP escort questions first

Louis Molina, Operations Section Chief:

- Still moving pieces, can't answer entirely but is aware of waivers that are still in effect
- Fees/Building permits – doesn't think this will be affected

Wendy Sugimura, Community Development Director:

- Clarified that ended Emergency Declarations – fee waivers will apply

County Counsel Simon:

- Suggests that we get all these questions answered before we terminate

Co-Chair Duggan:

- What happens to the residents (4) that have not responded

Peters motion. Corless seconded.

Vote: 4 yes, 0 no, 1 absent

M22-119

Break Session: 10:21 AM

Reconvened: 10:30 AM

C. Mental Health Services Act FY 22-23 Annual Update

Departments: Behavioral Health

40 minutes (20-minute presentation, 20-minute discussion)

(Amanda Greenberg and Robin Roberts) - Presentation by Amanda Greenberg and Robin Roberts regarding the Mental Health Services Act FY 22-23 Annual Update.

Action: (1) Received staff presentation on Annual Update; (2) reviewed and approved Annual Update; and (3) provided any other direction to staff.

Amanda Greenberg, Behavioral Health Program Manager:

- Presented Item
- Final draft for final approval
- May – Suicide Walk
- Explains how substance use/abuse is covered verses the mental health

Co-Chair Duggan:

- Appreciates this update, helpful to see how the community is doing in “real” time
- Board would like to be involved and would like to assist in moving forward

Robin Roberts, Behavior Health Director:

- Suicide falls in the Mobile Crisis Grant – will be further discussing this with the Board in July or August
- Explains the funding and its coverage in the different areas of Mental Health
- Discussed substance abuse/use and suicide and suggestions for future board communication

Supervisor Corless:

- Behavioral Health Advisory Board – Held a hearing on the update and approved it
- Suggests that CAO Lawton work with Robin Roberts around mental health – in strategic plan

Supervisor Kreitz:

- Any discussing in this on Mono County Suicides?
- Expressed her concerns with housing crisis and suicide connections

Supervisor Peters:

- Appreciate this update
- Expressed how important these issues are

Corless motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

M22-120

D. Memorandum of Understanding with the Paramedic Fire Rescue Association

Departments: CAO, HR, County Counsel, Finance

15 minutes

(Janet Dutcher, Finance and John Craig, CAO) - Proposed resolution adopting and approving a Memorandum of Understanding between the County and the Paramedic Fire Rescue Association (PFRA) for January 1, 2022, to December 31, 2024.

Action: Adopted proposed resolution R22-05, Adopted and Approved a Memorandum of Understanding between the County and the PFRA.

Robert C. Lawton, CAO:

- Introduced Item

John Craig, ACAO

- Presented Item

Peters motion. Corless seconded.

Vote: 4 yes, 0 no, 1 absent

R22-058

E. Memorandum of Understanding with Deputy Sheriffs' Association

Departments: CAO, HR, County Counsel, Finance

15 minutes

(Janet Dutcher, Finance and John Craig, CAO) - Proposed resolution adopting and approving a Memorandum of Understanding between the Count and the Deputy Sheriffs' Association (DSA) for January 1, 2022, to December 31, 2024.

ACAO Craig:

- Presented Item

Janet Dutcher, Finance Director:

- Finances on MOU – annual fiscal impact
- Clarifies the one time pay and the bottom of page 1, Deputy option of the \$5,000.00
- Both agreements will probably require a budget adjustment

Action: Adopted proposed resolution R22-059, Adopted and Approved a Memorandum of Understanding between the County and the DSA.

Peters motion. Peters seconded.

Vote: 4 yes, 0 no, 1 absent

R22-059

Moved to item 11 – Board Reports

8. CLOSED SESSION

Closed Session: 11:31 AM

Reconvened: 12:26 PM

A. Closed Session - Exposure to Litigation

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. Number of potential cases: one.

B. Closed Session - Existing Litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Paragraph (1) of subdivision (d) of Government Code section 54956.9. Name of case: Mono County v. Silver State Investors, LLC, (U.S. District Court, Eastern District Case No. 2:22-cv-00908-TLN).

C. Closed Session - Public Employee Evaluation

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code section 54957. Title: County Administrative Officer.

THE AFTERNOON SESSION WILL RECONVENE NO EARLIER THAN 12:00 P.M.

9. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

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10. REGULAR AGENDA - AFTERNOON

A. Mono County Lease Financing (Replacement Jail Facility)

Departments: Finance

30 minutes

(Janet Dutcher) - Proposed resolution R22-060, authorizing the execution of certain financing documents with respect to the execution and delivery of tax-exempt lease financing documents in an aggregate principal amount not to exceed \$7,000,000 to finance a portion of the construction of a replacement jail facility. The anticipated total project cost is approximately \$32.9 million. The County anticipates receiving a SB-844 grant from the State of California in the amount of \$25 million.

Action: Adopted proposed resolution R22-060, authorizing the execution and delivery of a site and facilities lease and a property lease in an aggregate principal amount not to exceed \$7,000,000 to finance a portion of the construction of the Mono County Replacement Jail Facility and authorizing execution of necessary documents, certificates, and related actions.

Janet Dutcher, Director of Finance:

- Presented Item

Peters motion. Kreitz seconded.

Vote: 4 yes, 0 no, 1 absent

R22-060

11. BOARD MEMBER REPORTS

The Board may, if time permits, take Board Reports at any time during the meeting and not at a specific time.

Supervisor Kreitz:

- June 8th, I attended the NACo Community Economic Workforce Development Committee meeting. We heard from Councilman John Cartier of New Castle County Delaware on a condominium development that is in significant financial complications and at risk of displace 80 households. They are looking for help in finding solutions. This style of formatting the meetings will be used more going forward.
- Many thanks to the staff for organizing a wonderful County BBQ!
- Friday, June 10th I participated in the MLH 238 Sierra Manor Road Project Update and then the CCRH Board meeting.

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- Monday, June 13th I attended the Mono County LTC meeting and later the LAFCO meeting. The LTC directed staff to write two letters in opposition to legislation that would be detrimental to our transportation funding from the state, and we recognized Gerry LeFrancois, retiring LTC co-executive director. Many thanks to Gerry for his honorable service to Mono County. The LAFCO Board appointed Tom Cage as the new Board Chair and new member Paul McFarland as the vice chair.

Supervisor Corless:

- GBUAPCD: approved funding for clean air projects programs (CAPP II), approved letter to state water resources control board requesting lake level hearing; received reports on Owens Lake Dust Mitigation Project water savings, and Keeler Dunes, as well as Mammoth Lakes air quality/smoke impacts
- Eastern Sierra Sustainable Recreation Partnership
- Inquiry from Alpine Co Supervisor David Griffith re: lands in USFS Region 4 in California (in Alpine and Mono County) moving to Region 5

Supervisor Peters:

- Attended the County BBQ
- 2-day Craft Fair and Softball Game – Chambers
- LTC
- Discussed the document for Thursday – WIR Conference was appointed to work to create a National Center for Public Lands Counties

Supervisor Duggan:

- 6/7 – Assisted at the Crowley Lake Voting Center
- Attended County BBQ
- 6/10 – Board Meeting
- LTC meeting – attended
- LAFCO meeting

Moved to Item 8 Closed Session

ADJOURN 12:41 PM

ATTEST

Bob Gardner

Bob Gardner (Sep 14, 2022 16:34 PDT)

**BOB GARDNER
CHAIR OF THE BOARD**

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DANIELLE PATRICK
ASSISTANT CLERK OF THE BOARD